

Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STATE OF WASHINGTON,)	
)	No. 2:19-cv-00884-RAJ
Plaintiff,)	
)	JOINT STIPULATED MOTION TO
v.)	DISMISS THIS LAWSUIT WITHOUT
)	PREJUDICE AND PROPOSED
UNITED STATES ENVIRONMENTAL)	ORDER
PROTECTION AGENCY and)	
MICHAEL REGAN, Administrator,)	Date on Motion Calendar: January 27,
United States Environmental Protection)	2023
Agency,)	
)	
Defendants.)	
_____)	

Pursuant to Federal Rule of Civil Procedure 41(a)(2), all the Parties in this case -- Defendants U.S. Environmental Protection Agency, et al. (collectively "EPA"), Plaintiff State of Washington, Plaintiff-Intervenors the Sauk-Suiattle Indian Tribe and the Quinault Indian Nation, and Defendant-Intervenors Northwest Pulp & Paper Association, et al. -- jointly stipulate to the dismissal of this lawsuit without prejudice, for the reason below.

The Court in its order dated July 6, 2021 (Doc. 85) placed this case in abeyance pending EPA's notice-and-comment rulemaking under the Clean Water Act to propose and finalize a rule establishing federal human health criteria applicable to Washington State's surface waters. EPA has taken that final action and published it in the Federal Register on November 18, 2022. *See*

JOINT STIPULATED MOTION
FOR DISMISSAL

- 1 -

Case No. 2:19-cv-00884-RAJ

David J. Kaplan.
United States Department of Justice
Environmental Defense Section
P.O. Box 7611
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1 Restoring Protective Human Health Criteria in Washington, 87 Fed. Reg. 69,183 (Nov. 18,
2 2022). That final action served to replace the human health criteria that previously applied in
3 Washington and that were challenged in this lawsuit.

4 Accordingly, all the Parties in this case stipulate to the dismissal of this lawsuit and
5 request that the Court issue an order pursuant to Federal Rule of Civil Procedure 41(a)(2)
6 dismissing this lawsuit without prejudice.
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10 ORDER

11 It Is So Ordered, this _____ day of _____, 2023, that this lawsuit is
12 dismissed without prejudice.
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16 _____
United States District Judge
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1 Respectively submitted and stipulated to:

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5 /s/ David Kaplan
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JOINT STIPULATED MOTION
FOR DISMISSAL

Case No. 2:19-cv-00884-RAJ

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